



BIENNIAL REPORT | 2012-2014 | DEPARTMENT OF PROFESSIONAL & OCCUPATIONAL REGULATION

Governor **Terry McAuliffe** | Secretary of Commerce & Trade **Maurice Jones** | Director **Jay W. DeBoer**

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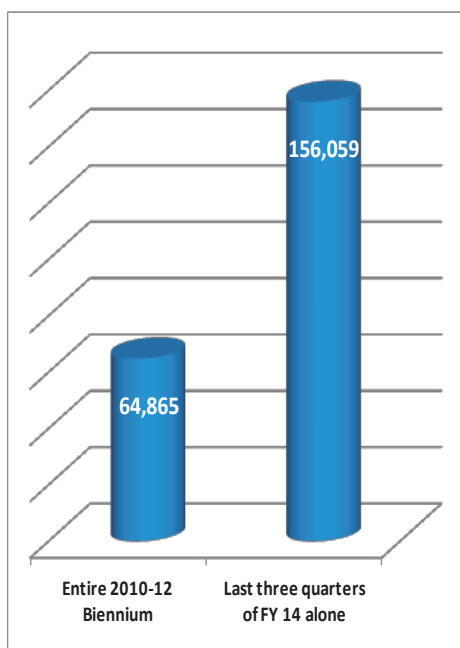


DPOR accomplished a major milestone in October 2013, when we officially retired the legacy database and completed migration to a new licensing system. Implemented in three phases, the information technology project required extensive customization to meet the needs of the agency's diverse regulatory programs and a vast array of license types.

EAGLES (Electronic Access to Government Licensing and Enforcement System) lets individuals apply for and renew or maintain their licenses online.

Online services vary depending on the specific board and license type, but available options include the ability to:

- **Apply** for a new license;
- **Renew/reinstate** a license;
- **Downgrade** an existing license or place on **inactive** status;
- **Add a specialty or change** a contractor license **DE/QI/RM**; and
- **Update your address** of record.



EAGLES
Online Transactions



After redesigning the agency logo and overhauling the website during the last biennium, we decided DPOR was ready for its close-up . . . in the **social media** arena. In April 2013, we launched our official **Facebook** page to share information, answer questions, and hear feedback. By the close of FY 2014, more than 1,300 followers keep up with our posts about DPOR happenings.

Feeling encouraged, we made our **YouTube** debut in the spring of 2014, with video tutorials to assist applicants with online registration and completing forms. With more than 8,000 views so far, DPOR will be adding to the YouTube channel, so stay tuned.



LICENSING & REGULATORY AFFAIRS

KEY PROCESSING METRICS

LICENSE RENEWALS	NAME/ADDRESS CHANGES	INITIAL APPLICATIONS	REINSTATEMENTS	CERTIFICATIONS
250,000	81,500	54,000	14,500	11,000

SERVICES FOR MILITARY & VETERANS

Laws enacted this biennium help DPOR offer personal service for qualified veterans and active-duty military personnel, and their families, as they maintain or transition to regulated civilian careers. One codified our longstanding policy of counting relevant **military training, education, or experience** toward licensing requirements. Another directed boards to **expedite processing** for spouses of active-duty service members who hold similar credentials from another state. If approval cannot be granted right away, DPOR will issue a **temporary, non-renewable six-month license** allowing the military spouse to work conditionally while completing Virginia-specific entry requirements.

NEW SPECIALTY EXAM FOR CONTRACTOR LICENSES

Updated Board regulations now require the **Qualified Individual (QI)** identified with each **specialty designation** on a contractor license to pass a written exam in their subject area. Previous criteria for QIs only involved providing references, whereas the new exam requirement is designed to collect adequate information to verify competency.

COMMUNITY ASSOCIATION REGULATIONS

Common Interest Community Ombudsman Regulations became effective at the beginning of the biennium, requiring condominium, property owners' and other **common interest community association boards to adopt internal complaint processes**. The regulations provide the details for submitting eligible complaints, known as **Notices of Final Adverse Decision**, to the Ombudsman for review.



472,800
phone calls
received

83% ↑
increase over last biennium



82,800
e-mail messages
received

58% ↑
increase over last biennium

Did you know?

State law ([§ 54.1-201.B](#)) now requires anyone regulated by DPOR to present **PROOF OF LICENSURE** to customers and prospects **upon request**, as well as documentation of any mandatory bond or insurance.

COMPLIANCE & RESOLUTION



We investigate reports of alleged violations and work to obtain compliance. Sometimes that means licensing an otherwise qualified individual practicing outside the law or regulations. In other cases a licensee may come into compliance by correcting deficiencies.



DPOR uses Informal Fact-Finding Conferences (IFFs) to obtain evidence on the record, and give all parties the opportunity to respond, as required by the Administrative Process Act (APA). *Prima facie* cases may bypass an IFF if a respondent declines the opportunity.



Alternative dispute resolution—such as mediation or consent orders—saves time and resources by avoiding the full disciplinary process. Sanctions may range from fines and remedial education to probationary terms or even license revocation.



Contractor and Real Estate Recovery Funds provide monetary relief to eligible consumers who incur losses through the improper or dishonest conduct of a licensee. Fund eligibility is determined by statute and includes factors such as an unpaid court judgment.

INVESTIGATIONS

COMPLIANCE

DUE PROCESS

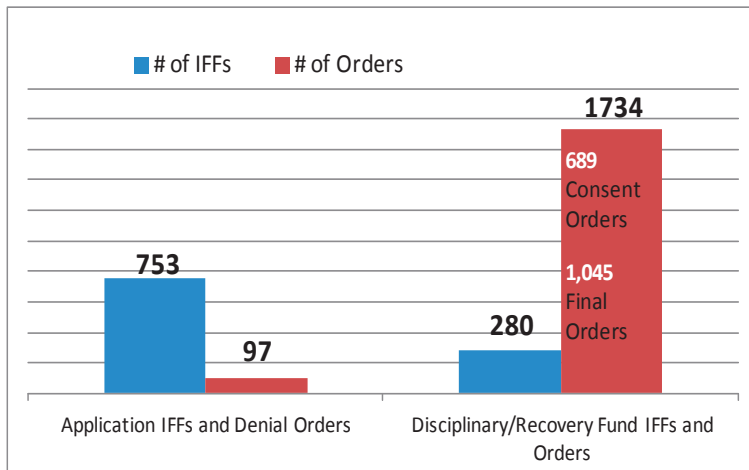
RESOLUTION

RECOVERY FUNDS



99.6%

of individuals and businesses holding current DPOR-issued credentials had
NO disciplinary violations
during Fiscal Year 2014



DPOR issues professional credentials to qualified applicants by verifying compliance with **education**, **experience** and **examination** standards established by regulatory boards. We strive to balance the security and integrity of the licensing process with the need to provide efficient and timely services.

In situations where an individual needs to provide additional clarification to demonstrate satisfaction of the minimum competency requirements—including explaining any prior criminal convictions—the agency must hold an **application IFF** so the board has sufficient information to approve or deny the license application. Once licensed, a small minority of individuals subject to allegations of violations may be involved in a **disciplinary or recovery fund IFF**.

During the 2013 session, DPOR successfully sought **process improvement legislation** to allow for an **IFF waiver** in disciplinary cases with non-responsive licensees. This frees the agency from the mandate to hold a purposeless conference no one attends and instead moves *prima facie* uncontested cases forward faster. Another agency bill aimed at streamlining the Contractor Recovery Fund eligibility and claim review process also now eliminates the need to hold IFFs for most claimants.

Unlicensed activity—practicing a regulated profession without the required state license—is a misdemeanor criminal violation. In cases alleging unlicensed practice, DPOR may bring the violator into compliance with licensing requirements or work cooperatively with local law enforcement to assist in bringing criminal charges. Ultimately, the decision of whether to prosecute an individual for unlicensed activity is at the discretion of local officials.

191

warrants

obtained by DPOR against unlicensed or improperly licensed individuals

139

convictions

successfully prosecuted by local authorities with help from DPOR

\$390,000

court-ordered victim restitution

in DPOR-assisted unlicensed cases

BOARD STATISTICS & FISCAL AFFAIRS

REGULATORY PROGRAM	REVENUES	EXPENDITURES	NUMBER OF BOARD MEETINGS	EXAMINATIONS ADMINISTERED	COMPLAINTS RECEIVED	REGULANT POPULATION (as of 06/30/14)	POPULATION % CHANGE (since last biennium)
Architects, Professional Engineers, Land Surveyors, Certified Interior Designers &	\$3,346,732	\$3,336,108	25	6,141	205	41,146	3.30%
Appraisers (Real Estate)	\$408,788	\$472,685	8	221	194	4,112	-2.93%
Asbestos, Lead & Home Inspectors	\$357,880	\$545,019	8	119	52	5,810	-15.37%
Auctioneers	\$98,199	\$142,098	6	163	55	1,615	0.19%
Barbers & Cosmetology	\$11,518,951	\$7,272,967	9	20,514	948	72,677	-0.28%
Branch Pilots	\$6,540	\$5,385	12	22	0	50	2.04%
Cemetery	\$86,150	\$162,408	8	N/A	126	2,024	2.02%
Common Interest Communities	\$2,162,630	\$1,376,155	13	N/A	564	6,561	21.91%
Contractors	\$19,271,964	\$14,997,748	20	28,492	3,307	91,347	-4.28%
Fair Housing	\$67,245	\$67,245	13	N/A	388	2341	6.99%
Hearing Aid Specialists & Opticians	\$285,551	\$294,173	4	757	18	2597	0.93%
Polygraph Examiners	\$43,675	\$18,987	3	42	5	298	7.19%
Professional Boxing, Wrestling & Martial Arts	\$354,540	\$392,061	0	N/A	11	760	-1.81%
Real Estate	\$7,279,201	\$7,839,271	26	31,542	1,354	65,248	3.82%
Soil Scientists, Wetland Professionals & Geologists	\$58,190	\$87,947	4	76	1	1135	1.16%
Waste Management Facility Operators	\$41,445	\$56,239	5	104	0	683	-0.15%
Waterworks, Wastewater Works Operators and Onsite Sewage System Professionals	\$553,629	\$578,305	8	2,212	72	5,948	-9.73%
TOTALS	\$45,941,310	\$37,644,801	172	90,405	7,300	304,352	-0.49%

DPOR operates in full view of the public and welcomes participation by licensees, consumers, and the general public. Board meetings are announced and open to the public, with board actions reflected in minutes available online at the [Virginia Regulatory Town Hall](#).

A non-general fund agency, DPOR is financed by assessments on regulated practitioners, not by any tax revenues. In accordance with the [Callahan Act](#), the agency adjusts fees so that revenues are sufficient to cover expenses, but not excessive. Fee setting is conducted pursuant to the [Administrative Process Act](#)'s public comment and executive branch review requirements.

Complaint Volume by Board

